HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.13872 OF 2003

Between:

Sri Rudraraju Prataparudra Varma

……Petitioner

And

The District Collector,
Guntur District, Guntur

……Respondent

:: ORDER ::

Counsel for the Petitioner : Sri Venkateswara Rao Gudapati

Counsel for the Respondent : Government Pleader for Revenue

Dated: 26-07-2006

In this petition filed under Article 226 of the Constitution of India, the complaint of the petitioner is that the claim made by him for grant of freedom fighters pension has not been decided by the respondent despite the fact that a period of more than 15 years has elapsed from the date of submission of application along with the relevant documents.

Although the respondent has not chosen to file counter affidavit for last more than three years, I do not consider it proper to defer the disposal of the writ petition because the petitioner is already 91 years old and any further delay may make the petition infructuous.

I have heard learned counsel for the parties. In the context of the averments contained in the affidavit filed by the petitioner and the grievance made by him, I asked the learned Government Pleader for Revenue to explain as to why the application made by the petitioner as early as in August 1979 for grant of pension has not been decided, but he could not offer any explanation for this grave lapse on the part of the authority concerned.

In view of the above, the only appropriate course available for the Court is to dispose of the writ petition directing the respondent/competent authority to consider the petitioner's application for grant of pension and decide the same within a period of six weeks from today. Ordered accordingly.

If the competent authority comes to the conclusion that the petitioner is eligible and entitled to receive pension, then appropriate direction may be given for release of the amount of pension payable to him. If, on the other hand, the concerned authority comes to the conclusion that the petitioner is not eligible to receive pension, then his claim be rejected and reasoned order passed by the competent authority be conveyed to him at the end of six weeks period.

G.S. SINGHVI, CJ

26-07-2006

ks

Note: The Court Officer is directed to give an attested copy of this order to the learned Government Pleader to facilitate compliance of the direction contained therein.

B/O